

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

Crl.Rev.Pet.No. 440 of 2007(E)

CRA.246/2004 of ADDL.SESIONS COURT, THODUPUZHA
CC.343/2003 of JUDL. MAGISTRATE OF FIRST CLASS COURT, NEDUMKANDOM

REVN. PETITIONER:

BY ADV. SRI.T.SETHUMADHAVAN
SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR

RESPONDENTS:

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1. P.N. MURALEEDHARAN, BLOCK NO.265,
NEDUMKANDOMKARA, PARATHODE
VILLAGE, UDUMBANCHOLA TALUK.
 2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY ADVOCATE SHRI D. GIRIKUMAR R1
BY ADV. SRI.M.GOPIKRISHNAN NAMBIAR
BY PUBLIC PROSECUTOR SHRI C.K. SURESH R2

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 31/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K. PADMANABHAN NAIR, J.

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Dated this the 31st day of January, 2007

ORDER

Heard. Admitted. Advocate Shri D. Girikumar took notice for first respondent and Public Prosecutor for second respondent. Criminal Revision Petition itself is heard and disposed of as agreed to by counsel on both sides.

2. Revision petitioner was found guilty of an offence punishable under Section 138 of the Negotiable Instruments Act in C.C. No.343 of 2003 on the file of the Judicial First Class Magistrate, Nedumkandam. Conviction and sentence were confirmed by the learned Sessions Judge, Thodupuzha in Crl. Appeal No.246 of 2004. Hence this Criminal Revision Petition.

3. It is submitted by counsel on both sides that matter has been settled out of court. Parties have filed Crl. M.A. No.1294 of 2007 for compounding the offence. Today I have allowed that application. Hence this Criminal Revision Petition is only to be allowed.

In the result, Criminal Revision Petition is allowed.

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-: 2 :-

Conviction and sentence imposed on the revision petitioner under Section 138 of the Negotiable Instruments Act are hereby set aside. Revision Petitioner is acquitted under Section 320(8) of the Code of Criminal Procedure.

K. PADMANABHAN NAIR, JUDGE.

VSV

K. PADMANABHAN NAIR, J.

CRL. R.P. NO.

ORDER

4TH JANUARY, 2007